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October 16, 2023

**VIA ECF AND EMAIL**

The Honorable Analisa Torres  
United States District Judge  
United States Courthouse  
500 Pearl Street  
New York, NY 10007  
[Torres\\_NYSDChambers@nysd.uscourts.gov](mailto:Torres_NYSDChambers@nysd.uscourts.gov)

Re: *Mullen Automotive, Inc. et al. v. TD Ameritrade, Inc. et al.*,  
No. 1:23-cv-07647-AT  
Request for Extension of Time to File Amended Complaint

Dear Judge Torres:

This firm represents plaintiffs Mullen Automotive, Inc. and Ulysses Novoa in the above referenced action. Plaintiffs respectfully submit this letter to request an extension of time to file an amended complaint following receipt of Defendants' first set of pre-motion letters pursuant to the Court's Individual Practices in Civil Cases, Rule III.B.ii.

Plaintiffs' Complaint was filed on August 29, 2023 [Dkt. No. 1]. On September 13, 2023, before the time to respond to Plaintiffs' Complaint had expired, Defendants requested, with Plaintiffs' consent, an extension of time from **September 21, 2023 to October 19, 2023** in order to exchange the first set of pre-motion letters required by your Honor's Individual Rule III.B.ii [Dkt. No. 23]. Defendants' request was granted.

On October 5, 2023, Defendants served their first set of pre-motion letters. After meeting and conferring with Defendants, Plaintiffs now request a 45-day extension until November 30, 2023 to amend their Complaint. Defendants consent to this request.<sup>1</sup> This is the first request for

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<sup>1</sup> Plaintiffs also request that the Court adjourn the October 30, 2023 deadline for the parties to file a Joint Case Management Plan and Scheduling Order. This is the first such request and Defendants consent.  
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an extension by the Plaintiffs. Upon service of the amended complaint, Defendants will respond in accordance with the Court's Individual Practices in Civil Cases and the rules contained therein.

Thank you for your consideration. .

Sincerely,

By: /s/ Alan M. Pollack  
Alan M. Pollack

cc: Counsel of Record (via ECF)